



KERR-MCGEE CHEMICAL CORPORATION

KERR-MCGEE CENTER • OKLAHOMA CITY, OKLAHOMA 73125

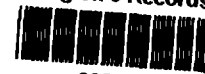
November 1, 1996

LKE-15

0000014

2.1
11/1/96

EPA Region 5 Records Ctr.



225811

BY AIRBORNE

TO: Ms. Verneta Simon
On-Scene Coordinator
Illinois/Indiana Remedial Response Branch
U.S. EPA, Region 5
77 W. Jackson Blvd. (SE-5J)
Chicago, Illinois 60604-3590

SUBJECT: Request for Modification to the Work Plan

REFERENCE: Lindsay Light II Site
316 East Illinois Street, Chicago, Illinois

Dear Ms. Simon:

As you know, Kerr-McGee Chemical Corporation and Chicago Dock and Canal Trust ("Respondents") are conducting a response action at the above-captioned site pursuant to a Unilateral Administrative Order ("UAO") issued on June 6, 1996. I am writing to request a modification of the Work Plan for this response action, as authorized by Section XI of the UAO.

The original Scoping and Planning Documents submitted by the Respondents contemplated that all material exceeding the cleanup criteria would be removed from the Site, and the property would be restored using on-site excavated materials which meet the cleanup criteria (less than 7.1 pCi/g) or virgin backfill from off-site sources. However, in the United States Environmental Protection Agency's comments on the Scoping and Planning Documents for Lindsay Light II Site, August 21, 1996, a change to the language in paragraph 1.3.2 of Document 200-1, under Sampling of Backfill Material, was directed requiring all backfill material to be less than 3.7 pCi/g. The Respondents have now discovered that it is difficult or impossible to isolate clean overburden materials at the Site from materials that contain slight levels of thorium residuals. This is a consequence of the fact that the overburden is largely rubble, which makes it impossible to achieve "clean" cuts during excavation. Accordingly, the Respondents seek authorization to stockpile slightly contaminated overburden (that is, material with total radium above 3.7 pCi/g, but below 7.1 pCi/g) and to use it as backfill. If Respondents are required to ship this slightly contaminated material to Envirocare, the volume of material to be shipped will increase significantly (perhaps by a factor of 2) and the costs of the project might escalate by more than a million dollars.

The material that we propose to use as backfill fully satisfies the radium cleanup standards that have been established for the Site. Moreover, because the application of the ALARA standard properly requires the evaluation of "the economics of improvements in relation to benefits," 10 C.F.R. § 20.1003, our proposal is fully consistent with ALARA: the extraordinary costs of the disposal of the slightly contaminated materials cannot justify the benefits, if any, that would arise from requiring its disposal at Envirocare. See NRC, ALARA Levels for Effluents from Materials Facilities (July 1993) (Regulatory Guide 8.37) (set out as Exhibit 8 to Respondents' Comments on the UAO). We note in this connection as well that it is inconceivable, given its location, that this Site will be used for any type of residential use (e.g., single-family homes) for which the slight contamination associated with the proposed backfill might raise even theoretical concerns.

Your consideration of this request is greatly appreciated. Please contact me if you have any questions.

We would appreciate it if you would include this letter in the administrative record that you maintain for this Site.

Very truly yours,
KERR-McGEE CHEMICAL CORPORATION



J. D. White
Offsites Project Manager

cc: Vincent S. Oleskiewicz, Esq., Baker & McKenzie
William O. Green, III, Esq., Kerr-McGee Corp.
Richard A. Meserve, Esq., Covington & Burling
Nancy-Ellen Zusman, Esq., U.S. EPA, Region 5